HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25328 of 2006

Dated:06.12.2006

Between:

K.S.Shankari Devi.

…Petitioner

and

The Divisional Electrical Engineer and another.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25328 of 2006

ORDER:

The petitioner herein allegedly purchased premises in Plot No.600 situated at Venkataramana Colony (Gokul Plots) near K.P.H.B.Colony of Kukatpally in Hyderabad, along with Service Connection No.22011 02952 in 2005. It appears, the property was initially owned by M/s.Teja Slab Industries (4-21/29). As there were arrears from the said vendor, the respondents initiated action for recovery of the amount, and by notice dated 05.07.2006 M/s.Teja Slab Industries was directed to pay electricity arrears in a sum of Rs.22,253/- to the Central Power Distribution Company Limited. The notice also informed that in default, the movable and immovable property will be attached for recovery of the amount as per the Revenue Recovery Act, 1890.

It is the grievance of the petitioner – and it is highlighted by the learned Counsel for the petitioner, that when the arrears were due from the petitioner's vendor, the petitioner is being asked to pay the amount, which is illegal.

A copy of the document under which the petitioner purchased the property is not placed before this Court. In the absence of such a document, it is not possible for this Court to examine the liability of the petitioner for all the levies and arrears due from the petitioner's

vendor. Secondly, the petitioner was not given any Distraint Notice but the same was addressed to M/s.Teja Slab Industries. Therefore, it is always open to the petitioner to file appropriate petition before the first respondent. This was not done. Therefore, this Court is not inclined to interfere in the matter at this stage.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

06.12.2006
vs